

*Ben Sanders***TE**

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the participation of Puerto Rico and American Samoa in the supplemental nutrition assistance program.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

AMENDMENT N^o 3075By *Sanders*

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year _____

To: *H.R. 2*

Referred to the Committee on _____

7
Page(s)

GPO: 2016 22-945 (mac)

~~Ordered to lie on the table and to be printed~~AMENDMENT intended to be proposed by *Sen. Sanders*

Viz:

- 1 After section 4112, insert the following:
- 2 **SEC. 4113. PARTICIPATION OF PUERTO RICO AND AMER-**
- 3 **ICAN SAMOA IN SUPPLEMENTAL NUTRITION**
- 4 **ASSISTANCE PROGRAM.**

5 (a) IN GENERAL.—

6 (1) DEFINITIONS.—Section 3 of the Food and
 7 Nutrition Act of 2008 (7 U.S.C. 2012) is amend-
 8 ed—

9 (A) in subsection (r), by inserting “the
 10 Commonwealth of Puerto Rico, American
 11 Samoa,” after “Guam,”; and

1 (B) in subsection (u)(3), by inserting “the
2 Commonwealth of Puerto Rico, American
3 Samoa,” after “Guam,”.

4 (2) ELIGIBLE HOUSEHOLDS.—Section 5 of the
5 Food and Nutrition Act of 2008 (7 U.S.C. 2014) is
6 amended—

7 (A) in subsection (b), in the first sentence,
8 by inserting “the Commonwealth of Puerto
9 Rico, American Samoa,” after “Guam,”;

10 (B) in subsection (c)(1), by striking “and
11 Guam,” and inserting “Guam, the Common-
12 wealth of Puerto Rico, and American Samoa,”;
13 and

14 (C) in subsection (e)—

15 (i) in paragraph (1)(A), by inserting
16 “the Commonwealth of Puerto Rico, Amer-
17 ican Samoa,” after “Hawaii,” each place it
18 appears; and

19 (ii) in paragraph (6)(B), by inserting
20 “the Commonwealth of Puerto Rico, Amer-
21 ican Samoa,” after “Guam,”.

22 (3) EFFECTIVE DATE.—

23 (A) IN GENERAL.—The amendments made
24 by this subsection shall be effective with respect
25 to the Commonwealth of Puerto Rico or Amer-

1 ican Samoa, as applicable, on the date de-
2 scribed in subparagraph (B) if the Secretary
3 submits to Congress a certification under sub-
4 section (f)(3) of section 19 of the Food and Nu-
5 trition Act of 2008 (7 U.S.C. 2028).

6 (B) DATE DESCRIBED.—The date referred
7 to in subparagraph (A) is, with respect to the
8 Commonwealth of Puerto Rico or American
9 Samoa, the date established by the Common-
10 wealth of Puerto Rico or American Samoa, re-
11 spectively, in the applicable plan of operation
12 submitted to the Secretary under subsection
13 (f)(1)(A) of section 19 of the Food and Nutri-
14 tion Act of 2008 (7 U.S.C. 2028).

15 (b) TRANSITION OF PUERTO RICO AND AMERICAN
16 SAMOA TO SUPPLEMENTAL NUTRITION ASSISTANCE PRO-
17 GRAM.—Section 19 of the Food and Nutrition Act of 2008
18 (7 U.S.C. 2028) is amended by adding at the end the fol-
19 lowing:

20 “(f) TRANSITION OF PUERTO RICO AND AMERICAN
21 SAMOA TO SUPPLEMENTAL NUTRITION ASSISTANCE PRO-
22 GRAM.—

23 “(1) SUBMISSION OF PLAN BY PUERTO RICO
24 AND AMERICAN SAMOA.—

1 “(A) SUBMISSION AND REVIEW OF PLAN
2 OF OPERATION.—If a State agency is des-
3 ignated by a governmental entity and submits
4 to the Secretary a request to participate in the
5 supplemental nutrition assistance program and
6 a plan of operation under section 11 (including
7 a date on which the governmental entity will
8 begin to participate in the supplemental nutri-
9 tion assistance program), the Secretary shall
10 determine whether that governmental entity
11 and State agency satisfy the requirements that
12 would apply under this Act for approval of that
13 plan if the governmental entity were 1 of the
14 several States.

15 “(B) DETERMINATION BY SECRETARY.—

16 “(i) APPROVAL.—The Secretary shall
17 approve a plan of operation under subpara-
18 graph (A) if the governmental entity and
19 State agency satisfy the requirements de-
20 scribed in that subparagraph.

21 “(ii) DISAPPROVAL.—If the Secretary
22 does not approve a plan of operation under
23 subparagraph (A), the Secretary shall pro-
24 vide to the governmental entity a state-

1 ment that describes each requirement that
2 is not satisfied by the plan.

3 “(2) APPROVAL OF RETAIL FOOD STORES.—If
4 the Secretary approves a plan of operation under
5 paragraph (1)(B)(i), the Secretary shall accept from
6 retail food stores located in the applicable govern-
7 mental entity applications under section 9 for ap-
8 proval to participate in the supplemental nutrition
9 assistance program.

10 “(3) SUBMISSION OF CERTIFICATION TO CON-
11 GRESS.—The Secretary shall submit to Congress a
12 certification that a governmental entity qualifies to
13 participate in the supplemental nutrition assistance
14 program as if the governmental entity were a State
15 if the Secretary—

16 “(A) approves the plan of operation under
17 paragraph (1)(B)(i); and

18 “(B) approves the applications under para-
19 graph (2) of a number of retail food stores lo-
20 cated in the governmental entity requesting to
21 participate in the supplemental nutrition assist-
22 ance program that would be sufficient to satisfy
23 the requirements of this Act if the govern-
24 mental entity were 1 of the several States.

1 “(4) CASH BENEFITS PROVIDED IN PUERTO
2 RICO.—As part of a plan of operation submitted
3 under paragraph (1)(A), the Commonwealth of
4 Puerto Rico may submit to the Secretary a request
5 to provide benefits under the supplemental nutrition
6 assistance program in the form of cash.

7 “(5) FAMILY MARKET PROGRAM IN PUERTO
8 RICO.—As part of a plan of operation submitted
9 under paragraph (1)(A), notwithstanding subsection
10 (g), the Secretary shall allow the Commonwealth of
11 Puerto Rico to continue to carry out, under the sup-
12 plemental nutrition assistance program, the Family
13 Market Program established under this section.

14 “(6) AUTHORIZATION OF APPROPRIATIONS.—
15 There are authorized to be appropriated to the Sec-
16 retary to carry out this subsection and the amend-
17 ments made by section 2 of the Agriculture Improve-
18 ment Act of 2018 such sums as are necessary for
19 fiscal year 2019, to remain available until expended.

20 “(g) TERMINATION OF EFFECTIVENESS.—

21 “(1) IN GENERAL.—Subsections (a) through (e)
22 shall cease to be effective with respect to the Com-
23 monwealth of Puerto Rico or American Samoa, as
24 applicable, on the date described in paragraph (2) if

1 the Secretary submits to Congress a certification
2 under subsection (f)(3).

3 “(2) DATE DESCRIBED.—The date referred to
4 in paragraph (1) is, with respect to the Common-
5 wealth of Puerto Rico or American Samoa, the date
6 established by the Commonwealth of Puerto Rico or
7 American Samoa, respectively, in the applicable plan
8 of operation submitted to the Secretary under sub-
9 section (f)(1)(A).”.